

Filed for intro on 02/02/95
House Bill _____
By _____

Senate No. SB1001
By Crowe

AN ACT to establish a Constitutional Defense Council for the State of Tennessee. This act makes appropriations to fund this act for fiscal year 1995-96.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Constitutional Defense Council Act of 1995".

SECTION 2. The Constitutional Defense Council of Tennessee is hereby established to consist of the Governor, the Speaker of the Senate, the Speaker of the House of Representatives, the Treasurer, and the Attorney General and Reporter.

SECTION 3. The purpose of the Council includes, but is not limited to, restoring, maintaining, and advancing the State's sovereignty and authority of issues that affect this State and the well-being of its citizens.

SECTION 4. Meetings of the Council may be called by any member, and all decisions of the Council shall be made by a majority vote of a quorum of its members.

SECTION 5. The Council, in the name of the State, or its citizens, may examine and challenge by legal action, legislation, or any other legal means: (i) federal mandates; (ii) court

rulings; (iii) the authority granted to, or assumed by, the federal government; (iv) laws, rules, regulations and practices of the federal government; and (v) any other federal government activity affecting the State's sovereignty that is deemed appropriate by the Council consistent with the purposes of this act.

SECTION 6. Notwithstanding any other provision of law, the Council may hire legal counsel to effect the purposes of this act and may utilize staff and resources within State government for such purposes.

SECTION 7. A fund is hereby established in the State Treasury to be known as the Constitutional Defense Council Fund for deposit of appropriations, gifts, grants, and other Council monies. Monies in the Council Fund are continuously appropriated and are exempt from the provisions of State law relating to the reversion of the general fund. Monies in the Council Fund shall be expended at the direction of the Council consistent with the purposes of this act.

SECTION 8. A sum of one million dollars (\$1,000,000) is appropriated from the State General Fund in fiscal year 1995-96 to the Constitutional Defense Council Fund for the purposes provided in this act.

SECTION 9. This act shall take effect on July 1, 1995, the public welfare requiring it.